

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

PERRY MACKALL,

Petitioner,

Case No. 5:04-CV-200

v.

Hon. Richard Alan Enslen

CARMEN PALMER,

Respondent.

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**ORDER AND JUDGMENT**  
**APPROVING REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. Petitioner filed a motion for enlargement of time to file objections, which was granted, and Petitioner's time to file objections was enlarged until December 20, 2007. No objections have been filed.

**THEREFORE, IT IS ORDERED** that the Report and Recommendation of the Magistrate Judge, filed November 9, 2007, is APPROVED and ADOPTED as the Opinion of the Court.

**IT IS FURTHER ORDERED** that Petitioner's application is **DISMISSED** for the reason(s) stated in the Report and Recommendation.

**IT IS FURTHER ORDERED** that a certificate of appealability is denied as to each issue raised by Petitioner.

Dated in Kalamazoo, MI:  
January 4, 2008

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/s/Richard Alan Enslen  
Richard Alan Enslen  
Senior United States District Judge